

Amendment No. 2 to HB1749

Turner (Ham)
Signature of Sponsor

FILED

Date _____

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Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1728*

House Bill No. 1749

by deleting from the amendatory language of subsection (o) of SECTION 1 the words “prospective transferee” each time they appear in the subsection and substituting instead the word “purchaser”.

FURTHER AMEND by deleting subsection (p) of SECTION 1 in its entirety and substituting instead the following:

(p) Upon receipt of the criminal history challenge form indicating a purchaser’s request for review of the denial, the bureau shall proceed with efforts to obtain the final disposition information. The purchaser may attempt to assist the bureau in obtaining the final disposition information. If neither the purchaser nor the bureau are able to obtain the final disposition information within fifteen (15) calendar days of the bureau’s receipt of the criminal history challenge form, the bureau shall immediately notify the federal firearms licensee that the transaction that was initially denied is now a “conditional proceed”. A “conditional proceed” means that the federal firearm licensee may lawfully transfer the firearm to the purchaser.

FURTHER AMEND by adding the following new subsection (q) to the amendatory language of SECTION 1:

(q) In any case in which the transfer has been denied pursuant to subsection (o) of this section, the inability of the bureau to obtain the final disposition of a case shall not constitute the basis for the continued denial of the transfer as long as the bureau receives written notice signed and verified by the clerk of the court or the clerk’s designee that indicates that no final disposition information is available. Upon receipt of such letter by the bureau, the bureau shall immediately reverse the denial.

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